

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ECF CASE

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CHARLES COLEMAN, JOHN H. CHIAFFI, RICHARD  
O' BEIRNE and JOHN T. COONEY, JR., as Trustees of  
the LABORERS LOCAL UNION 754 HEALTH &  
WELFARE FUN, PENSION FUND, LECET FUND,  
NATIONAL HEALTH AND SAFETY FUND, NYSLPA  
FUND, 754 LECET FUND, TRAINING FUND, and  
ORGANIZING FUND; and CHARLES COLEMAN and  
JOHN J. CHIAFFI, as Officers of LABORERS LOCAL  
UNION 754

Plaintiffs,

-against-

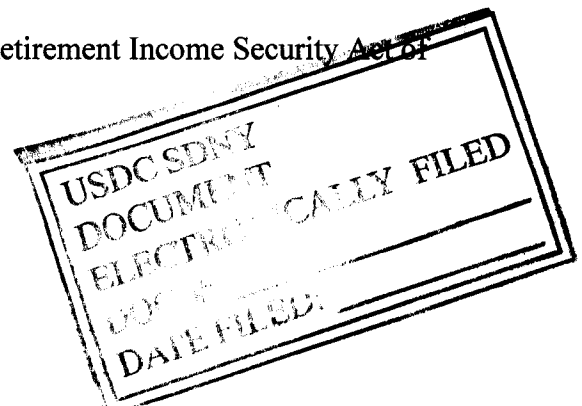
IMPERIAL IRON WORKS INC. / RHOMBUS  
ENTERPRISES LLC., a JOINT VENTURE,  
JOSEPH CHIAPPA and FIDELITY AND DEPOSIT  
COMPANY OF MARYLAND,

Defendants.  
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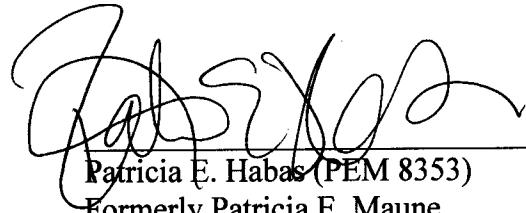
Civil Action No. 07  
U.S. DISTRICT COURT  
S.D. OF N.Y. W.P.  
2007 MAY - 9 P 3:  
FILED  
Rule 7.1 Statement

**07 CIV. 3690**

Pursuant to Federal Rule of Civil Procedure 7.1 [ formerly Local General Rule 1.9] and to enable District Judges and Magistrate Judges of the Court to evaluate possible disqualification or recusal, the undersigned counsel for the Plaintiffs certifies that Local Union 754 Health and Welfare Fund, Pension Fund, Savings Fund, Annuity Fund, Industry Advancement Fund, Dues Supplement Fund, LECET Fund, National Health and Safety Fund, NYSLPA Fund, 754 LECET Fund, Training Fund and Organizing Fund (collectively, the "Funds"), on whose behalf the Plaintiff Trustees are bringing this action, are employee benefit plans and are neither corporations nor subsidiaries or affiliates of any corporation. Plaintiff Funds are governed by the applicable provisions of the Internal Revenue Code and the Employee Retirement Income Security Act of 1974 and are trusts.



Dated: Orangeburg, New York  
May 3, 2007

A handwritten signature in black ink, appearing to read 'Patricia E. Habas', written over a horizontal line.

Patricia E. Habas (PEM 8353)

Formerly Patricia E. Maune

BRUCE A. ROGERS, P.C.

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